

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**ERROLL FLYNN SHEPARD,**

**Defendant.**

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**CASE NO. 8:02CR353**

**JUDGMENT**

In accordance with the accompanying Memorandum and Order,

**IT IS ORDERED:**

1. The Court has completed the initial review of the Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Filing No. 653);
2. The Defendant's Motion (Filing No. 653) is summarily denied;
3. The Defendant's motion for leave to proceed in forma pauperis (Filing No. 654) is summarily denied; and
4. The Clerk is directed to mail a copy of this Judgment to the Defendant at his last known address.

DATED this 9<sup>th</sup> day of March, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge